

UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

A CERTIFIED TRUE COPY

ATTEST

By Tarrell L. Littleton on Dec 14, 2009

FOR THE UNITED STATES  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

FILED

2009 DEC 23 A 9:48

Dec 14, 2009

FILED  
CLERK'S OFFICE

RICHARD W. WIEKING

CLERK, U.S. DISTRICT COURT

for the United States  
on

UNITED STATES JUDICIAL PANEL

MULTIDISTRICT LITIGATION

C 09 06014 RMW

MDL No. 2040

HRL

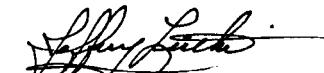
(SEE ATTACHED SCHEDULE)

**ORDER LIFTING STAY OF CONDITIONAL TRANSFER ORDER**

A conditional transfer order was filed in the actions listed on the attached Schedule A on September 29, 2009. Prior to expiration of that order's 15-day stay of transmittal, plaintiffs in these actions filed a notice of opposition to the proposed transfer and the subsequent motion and brief to vacate the conditional transfer order. The Panel has now been advised that plaintiffs wish to withdraw their opposition to transfer.

IT IS THEREFORE ORDERED that the stay of the Panel's conditional transfer order designated as "CTO-3" filed on September 29, 2009, is LIFTED. The actions are transferred to the Northern District of California for inclusion in the coordinated or consolidated pretrial proceedings under 28 U.S.C. § 1407 being conducted by the Honorable Ronald M. Whyte.

FOR THE PANEL:



Jeffery N. Lüthi  
Clerk of the Panel

**IN RE: CONOCOPHILLIPS CO. SERVICE  
STATION RENT CONTRACT LITIGATION**

MDL No. 2040

**SCHEDULE A**

Central District of California

Ray Merpour v. ConocoPhillips Co., C.A. No. 2:09-5704  
Moussa Karimi v. ConocoPhillips Co., C.A. No. 2:09-5705  
HM Khosh, Inc. v. ConocoPhillips Co. [REDACTED] No. 2:09-  
[REDACTED]

Eastern District of California

Kasra Khadivi Dimbali v. ConocoPhillips Co., C.A. No. 2:09-2242

UNITED STATES JUDICIAL PANEL  
on  
MULTIDISTRICT LITIGATION

**CHAIRMAN:**  
John G. Heyburn II  
United States District Court  
Western District of Kentucky

**MEMBERS:**  
Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Kathryn H. Vratil  
United States District Court  
District of Kansas

David R. Hansen  
United States Court of Appeals  
Eighth Circuit

W. Royal Furgeson, Jr.  
United States District Court  
Northern District of Texas

Frank C. Damrell, Jr.  
United States District Court  
Eastern District of California

David G. Trager  
United States District Court  
Eastern District of New York

**DIRECT REPLY TO:**

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December 14, 2009

Richard W. Wiking, Clerk  
2112 U.S. Courthouse  
280 South First Street  
San Jose, CA 95113

RMW  
C09 06014 HRL

Re: MDL No. 2040 -- IN RE: ConocoPhillips Co. Service Station Rent Contract Litigation

(See Attached Order)

Dear Mr. Wiking:

A conditional transfer order was filed in the above matter on September 29, 2009. Prior to the expiration of that order's 15-day stay, opposition to the proposed transfer was filed and, pursuant to Rule 7.4(c) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435 (2001), the conditional transfer order was stayed until further order of the Panel. The opposition has now been withdrawn and I am therefore attaching as a separate PDF document a certified copy of today's order lifting the stay of the conditional transfer order and transferring the action to your district pursuant to 28 U.S.C. § 1407. The order is directed to you for filing.

A Panel Service List is attached.

Very truly,

Jeffery N. Lüthi  
Clerk of the Panel

By Tarrell L. Littleton  
Tarrell L. Littleton  
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Ronald M. Whyte

**IN RE: CONOCOPHILLIPS CO. SERVICE  
STATION RENT CONTRACT LITIGATION**

MDL No. 2040

**PANEL SERVICE LIST**

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